

**HAMILTON PLANNING BOARD
MINUTES OF MEETING
March 3, 2015**

Members Present: Peter Clark, Ed Howard, Jeff Melick, Rick Mitchell, Brian Stein, and Claudia Woods

Associate Members: Chris LaPointe and Matt Tobyne

Planning Director: Patrick Reffett

Others Present: Marc Johnson, Alan Berry, Darcy Dale, and Bill Dery

This meeting was called to order at 7:30 p.m.

Continued Public Hearing Patton Homestead Senior Housing Special Permit

Alan Berry discussed the screening of trees and introduced Bob Varasa, a certified horticulturist. Mr. Berry said the first sheet in the distributed package included a profile of the screening trees from a 5' high viewpoint. The dark colors on the plan represented the trees at 12-16' in height when first planted. The lighter green illustrated the trees when fully grown and fully blocking out the view of the building at ten years. The profile rendering from Asbury St. was drawn from the building viewpoint. The next plan showed the trees planted 30' on center spaced in an effort not to overgrow each other. Mr. Berry stated that Bob Varasa indicated that if the trees were planted closer, the branches would overlap and start to die. The next plan specified trees planted 25' on center but were staggered providing a better screening. The lighter shaded plants on the illustration were red maples planted along the roadway. The plan indicated a variety of species in different heights in an effort to have the planting look like a natural screening rather than an artificial wall of trees. Peter Clark stated that he believed the new planting scheme enhanced the function of screening by the staggering of plants. Mr. Berry said it was an extra bonus having the upward angle that enhanced the planting by having Asbury St. lower than the planting.

Jeff Melick questioned if adding another tree on the left would improve the screening, but Alan Berry responded that yes it could be done, but there was an existing tree line and the land dropped down so the trees would be lower. Claudia Woods asked if there was a condition to buffer at English Commons and Mr. Berry responded that there was a condition to buffer so the applicant mixed deciduous and evergreen plant material, which were scattered along the stone wall as a screening buffer, but the screening was not as complete as this proposal. Mr. Berry stated that this proposal included a larger caliper tree at the time of planting and the English Commons plants are 40' apart with 8' high trees at the time of installation. Mr. Berry said the purpose was just to get some trees growing at English Commons. This proposal included trees planted at the top of the hill about 15' away from the stonewall. Mr. Berry added that at English Commons the development was 300' from the street while this proposal is 405' from the street.

Alan Berry discussed street lighting and provided three different samples of 3' high indirect lighting which would make it easier for people driving in and out of the project. Peter Clark did not think it was treacherous to cross the land between the entrance and the housing area because drivers had headlights and there was a proposed 24' roadway, which Mr. Clark thought may be too wide, especially after leaving Asbury St, which was narrow. Mr. Berry said he was comfortable with a 24' roadway in case a car was parked along the roadway. Jeff Melick agreed with Peter Clark regarding the need for lights. Brian Stein did not think it was necessary because it was not a long road and only had a minor bend in it however if the Board agreed that it was needed, he thought the 3' bollards were a good solution. Claudia Woods said that eventually an allee of trees would create a darker environment.

Alan Berry suggested adding lights at the entrance and then having no lighting until past the stone wall. Peter Clark said that any entry lighting should be higher at the sign because a bollard would be covered by snow banks. Rick Mitchell agreed with Ms Woods that a light fixture every 150' apart was no problem. Mr. Melick was concerned that it would look like something was lit in the field. Ms Woods requested a whole lighting plan. Mr. Berry proposed to have two bollards at the entrance then no lighting until after stone wall. Ed Howard said too much lighting would make it look honky tonk but a couple of discreet lights above the snowbanks at the entrance would be acceptable. Mr. Berry added that it would not look honky tonk because the light fixtures would shine down. Rick Mitchell stated he was fine with street bollards. Claudia Woods agreed.

Claudia Woods asked if the road would have a right of way to the open field for the public easement. The easement was shown on the plan set, according to Alan Berry. Mr. Berry said the grade at the playing field has about an 8' slope and the field would need to be built level to be usable as a playing field so it would require a large amount of fill. Jeff Melick said that the recreation could be passive rather than active. Ms Woods wondered since the public would have access to the area, if it should be lit. The Homestead and the open space would possibly be used by horses, according to Peter Clark.

Marc Johnson said the easement to access the two parts of the front field, according to the plans, was 24' but would be changed to 40'. Mr. Johnson said the open space restriction would allow for use as a park space and noted that the Planning Board would make the decision. The majority of the front field would be under the direction of the Homestead. The Recreation Board was not considering the front field as one for recreational uses and the Town may have future uses but nothing was articulated at this point, according to Mr. Johnson.

Alan Berry explained that the Board of Health met with C.P. Berry and Beals & Associates. Mr. Berry said Leslie Whelan (Hamilton Health Agent) agreed with the plan and made changes that were incorporated into the plan as did Clearwater. As soon as Leslie Whelan was finished, she would either make more changes or approve it, according to Mr. Berry. Peter Clark stated that the Board was interested in the quality of

discharges and meeting the standards. Mr. Berry said C.P. Berry used this system at Caldwell Farms in 2004 and English Gardens without any issues and beat the results of the standards. Mr. Berry said testing included filling up a beaker quarterly and the water was crystal clear with no build up of solids in the leaching fields.

Peter Clark noted that the location of the waste treatment area on the site plan was outside the Zone II line. Alan Berry replied, yes the back area where the leaching field and 2/3 of the houses were located was outside the Zone II. Mr. Berry stated that each building had a septic tank which flowed to a pump chamber at the treatment facility that pumped to the filter, half of which was recycled and half of which was sent to the leaching field. Mr. Berry said the individual septic tanks were indicated on the plan. Mr. Berry continued that there was 30' of sand before the water table, which gave water quality improvement. The treatment system was not required until the 10,000 gallon threshold and the project was at 1,800 gallon, so the applicant was not required to install the system but the applicant was proposing to put in the treatment facility mainly to improve groundwater and improve the life of the leaching field. The septic plan was filed with the Board of Health and the plan was in the plan set Sheet C401 which showed the septic tanks on the property, according to Mr. Berry.

Alan Berry said that Clearwater wanted to make changes that would go back to Leslie Whelan who had four changes herself. Mr. Berry said there was enough concern issued regarding the septic plan that the applicant wanted the Board of Health to review the plan first. Patrick Reffett said Leslie Whelan would prepare a report of her approval. Jeff Melick asked if she would come to the Board and speak to the Board. Mr. Reffett said she would consider it but the Board of Health had purview over the approval. Mr. Melick stated that her expertise would be helpful for the public to hear and consider.

Alan Berry said that Patrick Reffett had selected an engineer to review the plans. Mr. Reffett said they were reviewing the scope which was finalized and Beta would be providing a cost estimate for the review of site engineering, drainage, lighting, and landscaping. At one point the biopure system was to be reviewed but Leslie Whelan had told the Planning Board that the Board of Health was confident to have the review completed on their own and in fact would prefer to do it on their own, according to Mr. Reffett.

Claudia Woods recalled that the Board did not all agree but she wanted to have them look at the lighting at the top of the hill especially as it reflected in the snow and fog. Rick Mitchell said a review of the lighting would become subjective and wondered what substantive information could be concluded from the review. Alan Berry referred to a drawing of the streetlight with an 8' post and a 3' light then noted that at the bottom, it showed the light dispersions from the fixture. Mr. Berry also offered that the wattage on the bulbs could always be changed. Ms Woods stated that she didn't know photometrics or dispersion and said someone who knew more than the Board should let them know how bright it would appear. Patrick Reffett said on the site plan, there were five lights on the inland side of the homes which would be spread in between the new buildings and the landscape so no one would see much with an 8' light and 28' buildings.

Mr. Berry said there would be street lights and on the units themselves, there would be front and back lights. Spotlights would not be allowed. Ed Howard said he was wrestling with a 17th century property that originally had no electric lighting until the 20th century and thought it would be impossible to copy early lighting because it didn't exist. Mr. Howard suggested necessary lighting for safety and getting around as being acceptable but any excess lighting especially in an attempt to duplicate early lighting when there was no such thing was unacceptable.

Bill Dery suggested lighting at the intersection of the proposed roadway and Asbury St and requested the applicant put in a sodium arc streetlight at the intersection.

Alan Berry said that since neither the Board of Health review nor the peer review would be finished by the next meeting date, he would request the public hearing be continued until April 7, 2015

Peter Clark made motion to continue the public hearing until April 7th at 7:30

Rick Mitchell: Seconded

Vote: Unanimous to continue

Site Plan Review – Public Hearing March 24, 2014

Patrick Reffett said the Planning Board would be holding a public hearing on March 24, 2014 to change the Site Plan Review from the ZBA to the Planning Board and that Town Counsel had tracked all the changes in the Zoning Bylaw that made reference to the overseeing of Site Plan Review. Bill Dery said he was confused because the state allowed Town Counsel to modify the Citizen's Petition warrant article as long as the intent was the same. Jeff Melick said he looked at how many changes needed to occur along with Town Counsel. Michael Lombardo and Patrick Reffett had previously agreed that the best way to present the warrant article for passage was to have an alternate way to approach the changes. Bill Dery asked why there needed to be another public hearing. Patrick Reffett responded that the Citizen's Petition needed to stand on its own and the Planning Board had held a hearing to support the article that Mr. Dery prepared, then major flaws created a different product from this perfected article. Mr. Reffett said that it needed to be understood that it was a discretely different article with the same intent. Brian Stein added that separate articles required separate hearings. Marc Johnson said he believed that if the Citizen Petition article were approved at Town Meeting then Town Counsel would need to make the necessary changes and it would need to go back to Town Meeting again.

Cell Tower By-law Discussion – Public Hearing March, 24, 2014

Patrick Reffett said that he made dimensional changes to Page 4 of the Communication Tower By-law Section J of XI – 1. The changes were made to the dimensional standards after Mr. Reffett had consultations with those who build towers and noted that a tower of 110' could provide good service. Mr. Reffett suggested two dimensional changes to the Board one of which was the height which was currently 55' to a proposed 110' as noted in Section XI-6 c and d. The other dimensional change was in the clearance distance to

other existing structures which was currently 500' but was lowered to the suggested distance of 200' as noted on page 4. All other items were the same, including the need to obtain a special permit, according to Mr. Reffett. The proposed changes were discussed with Will Wilson, Verizon, Sprint, and a tower contractor developer, James S. George. Mr. Reffett indicated that he felt confident that 110' was an appropriate height, with the Board having the flexibility to exceed that height if an application was in a good location and the Board felt comfortable. Mr. Reffett stated that the higher tower would allow for more co-locatees to locate on the tower and the result would be fewer individual towers. The warrant article for the dimensional changes would be at Spring Town Meeting on April 11, 2015.

Board Term Article

Jeff Melick announced that even if the warrant article for the changes to the Planning Board terms from five years to three years were passed at Town Meeting, the change would not be on this coming ballot, therefore the next election would be for five years.

Other Boards and Committees

Ed Howard stated that the CPC subcommittee meeting was held with Patrick Reffett and Michael Lombardo and the two members from the subcommittee. According to Mr. Howard, the group agreed to go ahead with the public hearing for the public to express whatever they might be thinking about for CPC money use. Mr. Howard said the date would fit into the public plan and would likely be held at the library. Rick Mitchell wondered if both towns approved funding for the pool project. Mr. Howard and Brian Stein agreed that \$40,000 was approved for the design and \$1.3M for the installation.

When discussing whether or not a representative from the Planning Board should ask the Board their opinion before voting on another committee's project, Brian Stein said the project would come in front of the Planning Board but Jeff Melick asked what would happen if the project was not approved. Mr. Melick suggested that any member of the Planning Board should discuss with the Board any potential project and have them weigh in on the subject before the appointee voted. Ed Howard wondered if the Patton committee member ever asked how the Planning Board would vote on a topic before it was voted upon. Rick Mitchell said the appointee should use their judgment and if they feel it should be discussed, ask for a consensus from the Planning Board so the appointee could vote what the Board had voiced. If the appointee felt conflicted, they could abstain. Rick Mitchell said the appointed members of the Hamilton Development Corporation did not represent the Planning Board, but were separate. It was agreed that the topic would be discussed at another meeting. Darcy Dale suggested that she thought the position was a liason. Peter Clark stated that the title liason was a misterm because when the CPC was formed it was necessary that a Planning Board representative was required to be appointed and therefore the position was not a liason.

Planning Board Annual Report for 2014

Claudia Woods said she had made several changes to the document so would like to hold off on discussion of the report.

Consider GPOD revision process

To be discussed at another meeting.

Draft Code of Conduct

To be discussed at another meeting.

Minutes

January 29, 2015

Motion made by Claudia Woods to accept the minutes with minor changes.

Seconded by Brian Stein

Vote: Unanimous to approve

Next Meeting Dates – March 24, and April 7 and 21, 2015

Claudia Woods made motion to adjourn at 9:02

Rick Mitchell seconded

Vote: Unanimous to adjourn

Prepared by:

Attest

Date

Marcie Ricker